

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 553 – HB 615

March 13, 2017

SUMMARY OF ORIGINAL BILL: Adds the commission of trafficking for a commercial sex act committed against a child to the definition of “severe child abuse” for purposes of juvenile court proceedings and to the definition of “child sexual abuse” for purposes of reporting suspected child sexual abuse.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (004943): Deletes and rewrites the bill to add a new section that clarifies the definition of caregiver under Tenn. Code Ann. § 37-1-102(b)(4), relative to matters in juvenile court, includes a person who allegedly used a child for the purpose of trafficking a minor for a commercial sex act.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Tennessee Code Annotated § 37-1-102 contains definitions for title 37, chapter 1 for purposes of juvenile proceedings—dependent and neglected children, termination of parental rights, etc.
- The proposed legislation adds any act toward a child constituting trafficking for a commercial sex act to the definition of “severe child abuse”. This will allow swifter termination of parental rights in certain cases, because severe child abuse is grounds for termination of parental rights. *See* Tenn. Code Ann. § 36-1-113(g)(4); Tenn. Code Ann. § 37-1-147.
- Though the proposed legislation could result in expedited proceedings, it is assumed that the proposed legislation will not significantly impact juvenile court operations or the operations of the Department of Children’s Services.
- The Administrative Office of the Courts and the Department of Children’s Services confirm that the proposed legislation will not significantly impact their operations.

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- Title 37, chapter 1, part 6 requires certain individuals to report suspected incidents of child sexual abuse. The proposed legislation adds any act toward a child constituting trafficking for a commercial sex act to the definition of “child sexual abuse”.
- It is assumed that the proposed legislation will not significantly increase reported incidents of child sexual abuse.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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